IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO. 153 OF 2007
in
SUIT NO.1623 OF 2005

Vijaya Bank .. Plaintiff

vs

Sudhakar G.Shetty & ors .. Defendants
&
Neha Ahlaq Hussain & anr .. Applicants

Mr.K.S.Shetty for Plaintiff

Mr.R.D.Sawant for Applicant

Mr.Prakash Shinde i.b M.Dhruv & Co for Defendant No.3

CORAM : A.M.KHANWILKAR, J

DATE : 17th April, 2007

P.C.

1. Heard learned counsel for parties. Having regard to the developments which have taken place after the order dated 26th February, 2007 as a consequence of which Court Receiver has taken over possession of the suit property, the applicant's cannot be heard in proceedings pending between the plaintiffs and defendants. For, the applicants are neither necessary nor proper parties to the suit pending between the plaintiffs and the defendants. It will be open to the applicant to take recourse to such other remedy as may be permissible by law.

2. Hence, Chamber Summons is dismissed with

liberty to applicants to take recourse to such other remedy as may be permissible by law.

(A.M.Khanwilkar, J)